

## Counsel Listed on Next Page

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

FISHER INVESTMENTS, INC., a California corporation,

Case No. C 07 2547 SC

**STIPULATION CONTINUING DUE  
DATE OF DEFENDANT MORGAN  
STANLEY & CO., INC.'S (F/K/A  
MORGAN STANLEY DW, INC.)  
RESPONSE TO PLAINTIFF'S  
COMPLAINT**

## **LOCAL RULE 6-1(a)**

**Plaintiff:**

V.

MORGAN STANLEY DW, INC., a  
Delaware corporation, and DOES 1-10,  
inclusive,

### Defendants.

1 JOSEPH W. COTCHETT (State Bar No. 36324)  
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16 Attorneys for Plaintiff  
17 Fisher Investments, Inc.

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Attorneys for Defendant  
Morgan Stanley & Co., Inc.  
(f/k/a Morgan Stanley DW, Inc.)

1 Plaintiff Fisher Investments, Inc. ("Plaintiff" or "Fisher"), on the one hand, and Defendant  
2 Morgan Stanley & Co., Inc. (f/k/a Morgan Stanley DW, Inc.) ("Defendant" or "Morgan  
3 Stanley"), on the other hand, through their respective counsel, HEREBY STIPULATE and  
4 AGREE pursuant to Local Rule 6-1(a) as follows:

5 1. Plaintiff Fisher filed its Complaint ("Complaint") in the Superior Court for the  
6 County of San Mateo on April 12, 2007, and served it on April 13, 2007. Defendant Morgan  
7 Stanley removed the complaint to federal court on May 14, 2007.

8 2. On May 16, 2007, the parties stipulated to extend the time for Morgan Stanley's  
9 response to the Complaint from May 21, 2007 to June 5, 2007.

10 3. On June 1, 2007, the parties stipulated to extend the time for Morgan Stanley's  
11 response to the Complaint from June 5, 2007 to June 20, 2007.

12 4. The parties stipulate and agree that Defendant's time to respond to Plaintiff's  
13 Complaint shall be continued another fifteen (15) days, until July 5, 2007.

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5. This stipulation will not alter the date of any event or any deadline already fixed by Court order.

**SO STIPULATED.**

Dated: June 18, 2007

JOSEPH W. COTCHETT  
NANCY L. FINEMAN  
COTCHETT, PITRE & McCARTHY

SCOTT METZGER  
ANNA F. ROPPO  
DUCKOR SPRADLING METZGER & WYNNE

By: \_\_\_\_\_ /s/  
Anna Roppo  
Attorneys for Plaintiff  
Fisher Investments, Inc.

Dated: June 18, 2007

TRISH M. HIGGINS  
MICHAEL D. WEIL  
ORRICK, HERRINGTON & SUTCLIFFE LLP

By: \_\_\_\_\_ /s/  
Michael D. Weil  
Attorneys for Defendant  
Morgan Stanley & Co., Inc.  
(f/k/a Morgan Stanley DW, Inc.)

I hereby attest that the concurrence in the filing of this document has been obtained from Anna Roppo, Attorney for Plaintiff, Fisher Investments, Inc.



By: \_\_\_\_\_ /s/  
Michael D. Weil  
Attorneys for Defendant  
Morgan Stanley & Co., Inc.  
(f/k/a Morgan Stanley DW, Inc.)